

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

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|--------------------------------------|---|-------------------------------|
| JOHN WALKER, JR., |) | Case No. 1:22-cv-520 |
| |) | |
| Plaintiff, |) | PLAINTIFF’S NOTICE OF |
| |) | FILING OF ANNOTATED |
| - against - |) | PROPOSED RULE 1006 |
| |) | SUMMARY PURSUANT TO |
| THE CITY OF BUFFALO, <i>et al.</i> , |) | COURT’S INSTRUCTION AT |
| |) | FINAL PRETRIAL |
| Defendants. |) | CONFERENCE |

Pursuant to the Court’s instruction at the March 3, 2025, final pretrial conference, Plaintiff John Walker, Jr. hereby files as Exhibit A hereto an annotated version of his proposed Fed. R. Evid. 1006 summary chart of certain *Monell* evidence from other criminal cases involving the Erie County District Attorney’s Office. This annotated version includes, at the Court’s request, an additional column (in the far right of the chart in red font) providing an explanation of the reason(s) that Plaintiff seeks to enter into evidence each row of the chart and the materials summarized therein. The purpose(s) described in the annotated chart are intended to be read together with Plaintiff’s prior submissions setting forth more fully the legal theories and other evidence—i.e., testimony establishing failure to discipline—supporting *Monell* liability. *See generally Walker* Dkt. 268 (Pl’s motion *in limine* opposition); Dkt. 172 (Pl’s summary judgment opposition), at 61–76; Dkt. 241 (Pl’s proposed jury instructions), at 34–37.

Plaintiff previously provided the County with a copy of the chart (PX 296) without the additional column on February 24, 2025, as part of Plaintiff’s exhibit book (which also contained as separate exhibits all of the summarized materials cited in PX 296). The same version of PX 296 also was included in the exhibit book that Plaintiff sent the Court on February 28, 2025.

The far right column of Exhibit A is provided solely in response to the Court's request and, as reflected in Exhibit A and on PX 296 in Plaintiff's exhibit book, is not included in the version that Plaintiff proposes to offer into evidence at trial.

Dated: March 6, 2025

Respectfully submitted,

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